

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6165

CHRIS JETER,

Petitioner - Appellant,

versus

WILLIAM WHITE, Warden of Broad River
Correctional Institution; HENRY MCMASTER,
Attorney General of South Carolina,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Henry M. Herlong, Jr., District
Judge. (CA-04-1823-4)

Submitted: June 9, 2005

Decided: June 15, 2005

Before NIEMEYER and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Chris Jeter, Appellant Pro Se. Donald John Zelenka, Chief Deputy
Attorney General, Melody Jane Brown, OFFICE OF THE ATTORNEY GENERAL
OF SOUTH CAROLINA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Chris Jeter seeks to appeal the district court's order denying his petition filed under 28 U.S.C. § 2254 (2000) on the grounds that it was filed beyond the one-year limit for such actions. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude that Jeter has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED